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## IMPORTANT FAX DOCUMENT

DATE

May 25, 2005

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FROM

Gregory J. Kirsch

REFERENCE NO.

Patent No. 6,765,669 (07121.0002U1)

OUR FAX NUMBER

678-420-9301

NUMBER OF PAGES

Please see attached.

KECEI KAY 26 OIPE/JC

## CONFIDENTIALITY NOTE

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NO. 4888 P. 2

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ATTORNEY DOCKET NO. 07121.0002U1 APPLICATION NO. 10/021,307 U.S. PATENT NO. 6,765,699 Page 1 of 2

FORM PTO-1985 U.S. DEPARTMENT OF COMMERCE (Revised 3-01) Patent and Trademark Office  RECORDATION FORM COVER SHEET PATENTS ONLY  TO THE HONORABLE DIRECTOR OF U.S. PATENTS AND TRADEMARKS:  Please record the attached original documents or copy thereof.  1. Name of conveying party(iie): [Use numbers if there are multiple inventors and multiple dates of execution.]  CME Telemetrix, Inc.  Additional names of conveying party(iie) attached?    YES   NO   Name: NIR Diagnes8cs, Inc. Internat Address: SSD Parkside Drive Water/so: SSD Parkside Drive Water/so: SSD Parkside Drive Water/so: NIR Diagnes8cs, Inc. Internat Address: NIR Diagnes8cs, Inc. Internat Address: NIR Diagnes8cs, Inc. Internat Address: SSD Parkside Drive Water/so: NIR Diagnes8cs, Inc. Internat Address: NIR Diagnes8cs, Inc. International Address of Parks NIR Diagnes8cs, Inc. International Address NIR Diagnes8cs, In		
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Assignment  Security Agreement  Execution Date: July 15, 2004  4. Application number(s) or patent number(s):  If this document is being filed together with a new application, the execution date of the application is:  A. Patent Application No.(s):  B. Patent No.(s): 6,785,689  5. Name and address of party to whom correspondence concerning document should be mailed:  NEEDLE & ROSENBERG, P.C. Suite 1000 999 Peachtree Street Atlanta, Georgia 30309  7. Total fee (37 CFR § 3.41): \$40.00  Check enclosed  Credit Card Payment Authorization Form PTO-2038 enclosed  The Commissioner is hereby authorized to charge the total fee to Deposit Account No. 14-0629 (Attach duplicate copy of this form if paying by deposit account)	multiple inventors and multiple dates of execution.}  CME Telemetrix, Inc.  Additional names of conveying party(ias) attached?	Name: NIR Diagnostics, Inc. Internal Address: 560 Parkside Drive City: Waterloo State: Ontario Canada Zip: N2L 5Z4  Additional name(s) and address(es) attached?
Security Agreement X Change of Name  Execution Date: July 15, 2004  4. Application number(s) or patent number(s):  If this document is being filed together with a new application, the execution date of the application is:  A. Patent Application No.(s):  B. Patent No.(s): 6,765,669  5. Name and address of party to whom correspondence concerning document should be mailed:  NEEDLE & ROSENBERG, P.C. Suite 1000  999 Peachtree Street Atlanta, Georgia 30309  7. Total fee (37 CFR § 3.41): \$40.00  Check enclosed  Credit Card Payment Authorization Form PTO-2038 enclosed  The Commissioner is hereby authorized to charge the total fee to Deposit Account No. 14-0629 (Attach duplicate copy of this form if paying by deposit account)	Nature of conveyance:	
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	ATTORNEY DOCKET NO. 07121.0002U1 APPLICATION NO. 10,721,307 U.S. PATENT NO. 6,765,699 Page 2 of 2
8. To the best of my knowledge and belief, the foregoing information is true original document.  Gregory J. Kirsch Reg. No. 35,572  Total Number of Pages Including Cover Sheet, Altachments, and Document:	e and correct and any attached copy is a true copy of the  25 My 260 5  Date
CERTIFICATE OF PACSIMILE TRANSMISSION U  I hereby certify that this correspondence and any items indicated as attached or include Assignment Division at 703 306 6995 on the date indicated below.	

NO. 4888

NEEDLE & ROSENBERG

MAY. 25. 2005 5:47PM

Gregory J. Kirsch

Gowiling Lafleur Henderson LLP

Barristere & Solicitors | Palent & Trade Mark Agents |



MAY 2 3 2005

MIEDIE & Proper Line

160 Elgin Street Suite 2600 Ottawa, Ontario Canada K1P 1C3 Telephone (613) 233-1781 Facsimile (613) 563-9869

Konrad A. Sechley Ph.D. Direct Dial (613) 786-0154 Konrad.Sechley@gowlings.com

MAY 1 7 2005

Lawrence D. Maxwell Needle & Rosenberg, P.C. Suite 1000 999 Peachtree Street Atlanta, Georgia, 30309 U.S.A.

Dear Mr. Maxwell:

Re:

CME Telemetrix Inc.

United States Patent No. 6,765,669 B1 Issued July 20, 2004

Signal Enhancement of Spectrometers Our Reference 08891294US1 :

Your Reference 07121.0002U1

Please be advised that CME Telemetrix Inc. has changed their name to NIR Diagnostics Inc. effective July 15, 2004. Our client wishes to have the Certificate of Amendment in favour of NIR Diagnostics Inc. recorded against the pending issued patents only. Accordingly, please submit the attached document for recordation against United States Patent No. 6,765,669.

We would appreciate receiving confirmation that these instructions have been received.

Yours very truly,

**GOWLING LAFLEUR HENDERSON LLP** 

Konrad A. Sechley, Ph.D.

Patent Agent KAS:alo

Encl.

Reviewed Name Date

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These efficies are eigned in deplicate.

CME TELEMETRIX INC.

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NEEDLE & ROSENBERG

AUGUST 27, 2002

PTAS

Under Secretary of Commerce For Intellectual Property and Director of the United States Patent and Trademark Office Washington, DC 20231 www.uspto.gov

NEEDLE & ROSENBERG, P.C. LAWRENCE D. MAXWELL, ESQ. 127 PEACHTREE STREET, N.E. THE CANDLER BUILDING ATLANTA, GEORGIA 30303-1811



UNITED STATES PATENT AND TRADEMARK OFFICE NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS. CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 06/24/2002

REEL/FRAME: 013024/0780

NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

PAWLUCZYK, ROMUALD

DOC DATE: 05/27/2002

ASSIGNEE:

CME TELEMETRIX INC. 560 PARKSIDE DRIVE

WATERLOO ONTARIO, CANADA N2L 5Z4

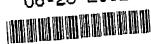
SERIAL NUMBER: 10021307

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ATTORNEY DOCKET NO. 07121.0002U1 SERIAL NO. 10/021,307 PAGE 1 OF 2

U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office

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FORM PTO-1595 (Revised 6-93)

RECORDATION FORM COVER SHEET

6-24-62

PATENTS ONLY

TO THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS: ATTORNEY DOCKET NO .: 07121 .0002U1 Please record the attached original documents or copy thereof.

Name of conveying party(ies):

Romuald Pawluczyk

Additional names of conveying party(ies) accached?

[] YES

[X] NO

Name and address of receiving party(ies):

Name: CME Telemetrix Inc.

Internal Address:

Street Address: 560 Parkside Drive

City: Waterloo

State: Ontario CANADA

Zip: N2L 524

Additional name(s) and address(es)

attached?

ON [X] [] YES

<u>_3.</u>	Nature of conveyance:		
х	Assignment	Merger Other	
	Security Agreement	Change of Name	
<b> </b> -	geodize, sign		

Execution Date: May 27, 2002

Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

Patent No. (a): Patent Application No.(s): 10/021,307 в.

[X] NO Additional numbers attached? [] YES 6.

Name and address of party to whom 5. correspondence concerning document should be mailed:

> Lawrence D. Maxwell, Esq. NEEDLE & ROSENBERG, P.C. The Candler Building 127 Peachtree Street, N.E. Atlanta, Georgia 30303-1811 (404) 688-0770

Total number of applications and patents

involved: One (1) . .

20000000

Total fee (37 CFR 3.41): 7.

[X] Enclosed - Credit Card Payment Form PTO-2038

[] Authorized to be charged to Deposit Account.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposic Account No. 14-0629.

## ASSIGNMENT OF APPLICATION

Romuald Pawluczyk whose full post office address is 280 Golf Course Road, Conestogo, Ontario NOB 1NO Canada (hereinafter called "ASSIGNOR") have invented certain new and useful improvements in the invention entitled Signal Enhancement of Spectrometers, as fully described and claimed in United States application no. 10/021,307 filed on October 22, 2001, (claiming priority to United States application no. 60/241,798 filed on October 20, 2000) for which applications for Letters Patents have been made

WHEREAS, CME Telemetrix Inc., having a place of business at 560 Parkside Drive Waterloo, Ontario N2L 5Z4 Canada, hereinafter called ASSIGNEE, is desirous of acquiring the entire right, title and interest in and to said invention and in and to any Letters Patents related to this invention that may be granted therefor the United States

NOW, THEREFORE, in consideration of the sum of FIVE DOLLARS (\$5.00), the receipt whereof is hereby acknowledged, and for other good and valuable consideration, I, by these presents do sell, assign and transfer unto said ASSIGNEE, the full and exclusive right to the said invention in the United States and the entire right, title and interest in and to any and all Letters Patents related to this invention which may be granted therefor in the United States and in and to any and all divisions, reissues, continuations, substitutions and renewals thereof.

I hereby authorize and request the Patent Office Officials in the United States to issue any and all of said Letters Patents, when granted, to said ASSIGNEE as the assignee of my entire right, title and interest in and to the same, its successors and assigns, to the full end of the term for which said Letters Patents may be granted.

Further, I agree that I will communicate to said ASSIGNEE or its representatives any facts known to me respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, substitute, renewal and reissue applications, execute all necessary assignment papers to cause any and all of said Letters Patents to be issued to said ASSIGNEE, make all rightful oaths, and, generally do everything possible to aid said ASSIGNEE, its successors and assigns, at assignee=s expense, at any time now or in the future, to obtain and enforce proper protection for said invention in the United States

In witness whereof the Assignor has executed this Assignment this 27 day of May 2002.
D. C.
Romuald Pawluczyk
WITNESS:
On this 27 day of, 2002 before me personally appeared the above named Romuald Pawluczyk, to me known and known by me to be the
person described in and who executed the foregoing instrument, and acknowledged the same to
be his own free act and deed.